

COPY FOR JUDGE

Paper 12

Filed on behalf of: Senior Party Case Western Reserve University
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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES
(Administrative Patent Judge Torczon)

OSIRIS THERAPEUTICS, INC.
(US 6,030,836),
Junior Party,

v.

CASE WESTERN RESERVE UNIVERSITY
(09/321,655)
Senior Party.

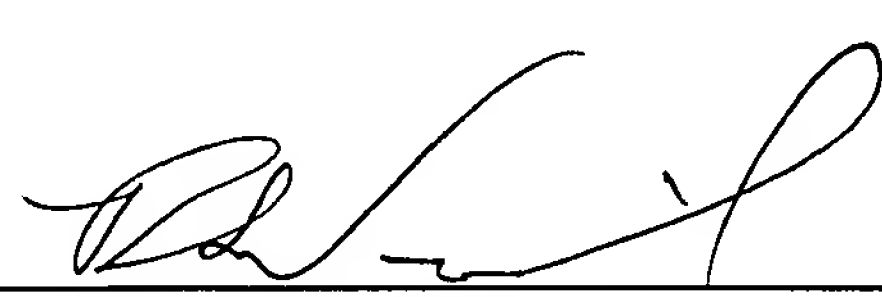
Patent Interference No. 105,197

SUBMISSION OF POWER OF ATTORNEY

Sir:

Please find attached a duly executed Power of Attorney and a Statement Under 37 C.F.R. § 3.73(b) in connection with the above-identified interference.

Respectfully submitted,


Richard S. Wesorick
Reg. No. 40,871

POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST

As assignee of record of the entire interest of U.S. Patent Application Serial No. 09/321,655, filed May 28, 1999, entitled HEMATOPOIETIC PROGENITOR CELL GENE TRANSDUCTION, the following attorneys are hereby appointed to prosecute and transact all business in the U.S. Patent and Trademark Office in connection with the above-mentioned application, including Interference No. 105,197:

Richard S. Wesorick, Reg. No. 40,871;
Richard A. Sutkus, Reg. No. 43,941; and
Thomas L. Tarolli, Reg. No. 20,177

of the Law Firm

TAROLLI, SUNDHEIM, COVELL & TUMMINO LLP
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**DIRECT CORRESPONDENCE
AND TELEPHONE CALLS TO:**

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ASSIGNEE STATEMENT

Attached to this power is a "STATEMENT UNDER 37 C.F.R. § 3.73(b)."

Date: 1-20-04



Signature

Catherine A. Porto
Associate Vice President
Technology Transfer Office
Case Western Reserve University

**STATEMENT UNDER 37 C.F.R. § 3.73(b)--
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION**

1. The assignee of the entire right, title and interest hereby seek(s) to take action in the prosecution of U.S. Patent Application Serial No. 09/321,655, including Interference No. 109,197.

IDENTIFICATION OF ASSIGNEE

2. Case Western Reserve University University
Name of Assignee Type of Assignee

PERSON AUTHORIZED TO SIGN

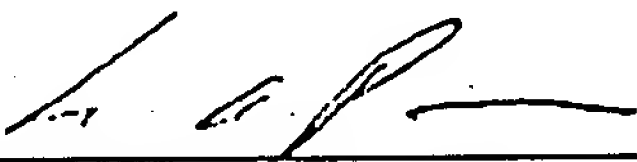
3. Catherine A. Porto Associate Vice President, Technology Transfer
Name of person authorized to sign on behalf of assignee Office, Case Western Reserve University
Title of person authorized to sign

I, the person signing below, state that I am empowered to sign this statement on behalf of the assignee.

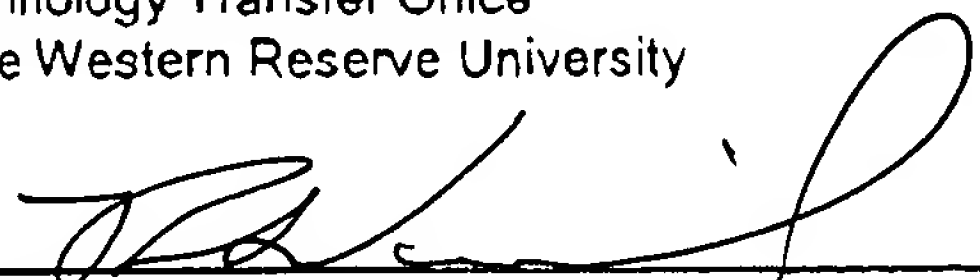
BASIS OF ASSIGNEE'S INTEREST

Ownership by the assignee is established as follows:

- A. An assignment from the inventor(s) of the matter identified above, which was recorded in the PTO at Reel, 010274, Frame 0886.


(Signature of authorized person)

Catherine A. Porto
Associate Vice President
Technology Transfer Office
Case Western Reserve University


(Signature of Practitioner)

Richard S. Wesorick
Reg. No. 40,871

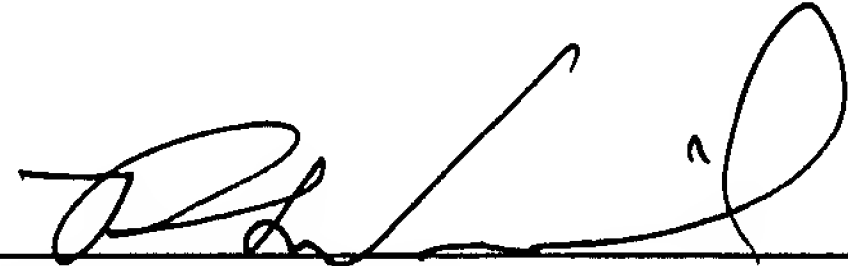
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CERTIFICATE OF SERVICE

I hereby certify that I have forwarded a copy of the foregoing **SUBMISSION OF POWER OF ATTORNEY** via FedEx to Raymond J. Lillie of Carella, Byrne, Bain, Gilfillan, Cecchi, Stewart & Olstein, 6 Becker Farm Road, Roseland, New Jersey 07068-1739, Counsel for the Junior Party Osiris Therapeutics, Inc., this 22 day of January, 2004.



Richard S. Wesorick